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Of Attorneys for Plaintiff FLIR Systems, Inc.

**UNITED STATES DISTRICT COURT**

**DISTRICT OF OREGON**

**PORTLAND DIVISION**

FLIR SYSTEMS, INC., an Oregon  
corporation,

Plaintiff,

vs.

SIERRA MEDIA, INC. and FLUKE  
CORPORATION,

Defendants.

Case No. 3:10-CV-971-HU

MEMORANDUM IN SUPPORT OF  
PLAINTIFF'S UNOPPOSED MOTION  
EXTENDING DEADLINES

Pursuant to LR 16-3

Plaintiff FLIR Systems, Inc. ("FLIR") hereby submits this Memorandum in Support of  
Unopposed Motion Extending Deadlines.

On November 30, 2010, Defendants filed their Motions to Dismiss for Failure to State a

Claim (the “Motions”).<sup>1</sup> Plaintiff disagrees with the arguments set forth in the Motions, but in an effort to avoid the unnecessary use of the resources of the Court and the parties and in lieu of a response, Plaintiff will file an amended complaint on or before December 21, 2010, in accordance with Federal Rule of Civil Procedure 15(a)(1)(B).<sup>2</sup> Defendants will file an amended motion to dismiss or answer on or before January 18, 2011. The parties submit that good cause is shown for the requested modifications to the current schedule in that this schedule will more effectively use the Court’s and the parties’ time; no other extensions of the current schedule are requested.

Accordingly, the parties request that the Court enter an order providing that: (1) Per the parties’ stipulation, Defendants’ Motions are withdrawn; 2) Ordering Plaintiff to file an amended complaint by December 21, 2010; and (3) Ordering Defendants to file a responsive pleading to the amended complaint by January 18, 2011.

Dated this 15<sup>th</sup> day of December, 2010.

SCHWABE, WILLIAMSON & WYATT, P.C.

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<sup>1</sup> See Defendant Fluke Corporation’s Motion to Dismiss for Failure to State a Claim (Docket No. 22) and Defendant Sierra Media, Inc.’s Motion to Dismiss for Failure to State a Claim (Docket No. 24).

<sup>2</sup> See FED. R. CIV. P. 15(a)(1)(B) (“A party may amend its pleading once as a matter of course if the pleading is one to which a responsive pleading is required, 21 days after service of a responsive pleading or 21 days after service of a motion under rule 12(b), (e), or (f), whichever is earlier.”)